



City of Lowell - Planning Board

Planning Board Meeting Minutes

Monday, July 18, 2022 6:30 p.m.

Mayor's Reception Room, 2nd Floor, City Hall

City of Lowell, 375 Merrimack Street, Lowell, MA

Remote Participation Optional via Zoom

Note: These minutes are not completed verbatim. For a recording of the meeting, visit www.ltc.org

Members Present

Thomas Linnehan, Chairman

Gerard Frechette, Vice Chairman

Richard Lockhart, Member

Robert Malavich, Member

Caleb Cheng, Member

Sinead Gallivan, Associate Member

Members Absent

None

Others Present

Francesca Cigliano, Senior Planner

A quorum of the Board was present. Chairman Linnehan called the meeting to order at 6:31 pm.

I. Minutes for Approval

6/23/2022

T. Linnehan motioned and G. Frechette seconded the motion to approve the minutes, approved unanimously, (4-0).

II. Continued Business

Site Plan Review and Special Permit: Saint Louis School 72-74 Boisvert Street and 253 W Sixth Street 01850

ZR Development Group LLC has applied to the Planning Board and Zoning Board of Appeals to redevelop the existing St. Louis School building into nineteen (19) residences with twenty four (24) off-street parking spaces. The application requires Site Plan Review under Section 11.4 to construct more than three dwelling units and Special Permit approval for the conversion of an existing historic school under Section 8.1. The application also requires Variance approval under Section 6.1 for

relief from the off-street parking requirement, Section 5.1 for relief from the land area per dwelling unit requirement and usable open space requirement, and under Section 8.1.3(4) for relief from the minimum square footage requirement and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

John Geary, Applicant's Attorney

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

R. Lockhart motioned to continue the petition to the September 8 Planning Board meeting. The motion was seconded by G. Frechette and approved unanimously, (5-0).

Special Permit – 22 Bellevue Street 01851

Magdi Mikhael has applied to the Lowell Planning Board to convert the existing two-family structure at 22 Bellevue Street into a three-family structure. The subject property is located in the Traditional Neighborhood Multi-Family (TMF) zoning district. The proposal requires Special Permit approval from the Planning Board per Article 12.1(c) to expand a residential structure to three (3) units.

On Behalf:

None

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

The Board noted that the applicant had not been at attendance at the previous meeting and are not present for tonight's meeting. As such, the applicant is unable to address the Board's concerns regarding the project and the Special Permit criteria are not met.

Motion:

T. Linnehan motioned to deny the special permit request, seconded by R. Lockhart and approved unanimously, (5-0).

Special Permit – 50 Wentworth Avenue 01852

Thanh Pham has applied to the Lowell Planning Board for Special Permit approval to subdivide the existing lot at 50 Wentworth Avenue and construct a new single-family home on the newly created lot.

The subject property is located in the Suburban Single-Family (SSF) zoning district and requires Special Permit approval from the Lowell Planning Board pursuant Section 5.1.1(7) to reduce the minimum frontage by twelve (12) feet.

On Behalf:

Thanh Pham, the Applicant

Speaking in Favor:

Elias Hatem, 43 Guild Street

E. Hatem is in agreement with the application. This property is located within a neighborhood of 25 properties with an average of ~9000 sq. ft. and ~75 ft. of frontage. Would be in the top 20% among the other lots. The carriage house footprint is 30' x 40', the new house would be less than that. Same footprint. Take an eyesore carriage house and replace with a new house. He thinks this will be a better property after the project.

Speaking in Opposition:

Nancy Canney, 64 Wentworth Ave

N. Canney said that her property is Lot C on the plan. The carriage house is on another lot. Behind that is the garage which he wants to leave up. In my opinion the garage should be condemned. The windows are broken. N. Canney asked about setbacks.

T. Linnehan explained the setback requirements for that district and said that the new home would be compliant with setback requirements.

N. Canney asked about ownership of the property changing. T. Linnehan said that special permit approvals run with the property, not ownership.

Rebecca Caswell, 74 Wentworth Ave

R. Caswell said that they had asked for building repairs to the existing building but the owner did not do repairs. She also questioned whether this would be a rental with an absentee landlord.

Jimmy Pollard, 63 Wentworth Ave

J. Pollard said that he wants to know whether the carriage house and garage will be demolished. Asked about tree on the property. T. Pham said that the garage is going to be renovated and would be used for the new home. T. Pham said the tree belongs to the City.

Maureen Pollard, 63 Wentworth Ave

M. Pollard asked if there could be an inspection for the tree before it begins. She is concerned that there should be setbacks from the tree and the new structure. T. Pham said that the house would be built 25ft from the street.

T. Linnehan added that in order to remove a public shade tree, there is a tree hearing procedure.

George Skaff, 503 Fletcher Street

G. Skaff said that it seems that the ZBA missed a few items. The setbacks for the garage are inadequate. There are a lot of differences between the original and new site plan. The fruit trees and sidewalk are missing as is the handicapped ramp.

Discussion:

G. Frechette said that they look at whether the home will fit in with the surrounding neighborhood. Frontage fits in within that reduction. All the setbacks are compliant. G. Frechette referred to the ZBA's approval specifically conditioning that the garage would not be converted into a residential dwelling and the neighbors expressed a concern that it would. G. Frechette noted that the City is discussing accessory dwelling at upcoming zoning subcommittee meetings and there needs to be some discussion and citizen engagement on that.

C. Cheng said that he would like to incorporate the three conditions of approval from the ZBA approval. He encouraged the neighbors to get involved in the ADU conversation. Housing is a pressing issue. Everyone concerned should be part of the conversation.

S. Gallivan responded to G. Skaff's comment about the garage and ADA ramp. She said that the garage is pre-existing non-conforming so it does not have to comply with zoning, and private property does not need to be ADA accessible. She is in favor of the project. The updated site plan demonstrates that the carriage house would be demolished. The garage cannot be converted into a dwelling unit.

R. Malavich agrees with the other members of the Board. He cannot vote because he did not appear at the previous meeting and has not signed the Mullins affidavit.

Motion:

G. Frechette motioned to approve the special permit with the following conditions:

1. Incorporate all conditions of approval from ZBA decision:
 - a. The garage on Lot B2 shall not be converted into a residential dwelling;
 - b. The infiltration trenches shall be subsurface and the pear trees shall be located outside of the infiltration fence; and
 - c. Final approval from the LRWWU shall be required prior to applying for a building permit.
2. The carriage house on A1 to be removed (including foundation and slab);
3. The existing garage lot B1 to be redeveloped to match and complement the new dwelling on Lot B1;
4. The applicant shall install a white vinyl privacy fence on the lot line abutting Lot C and Lot A1.

The motion was seconded by R. Lockhart and was approved unanimously, (5-0).

III. New Business

III. Other Business

Minor Modification Request: 153 Willie Street & 4-8 Wiggin Street 01854

The applicant is seeking a minor modification to reduce the total number of units to 10 and make the proposal entirely zoning compliant. The applicant received Site Plan Review approval at the 3/21/2022 Planning Board for 12 residential units on the site.

On Behalf:

George Theodorou, Applicant's Attorney
David Fieldson, Applicant's Engineer

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

T. Linnehan motioned to consider the revisions minor and not a material or substantial change. R. Lockhart seconded the motion and it passed unanimously, (5-0).

T. Linnehan motioned to approve the amended site plan. The motion was seconded by R. Lockhart and was approved unanimously, (5-0).

Special Permit Extension Request: 113 Walker Street 01854

The applicant is seeking extensions for their Site Plan Review and Special Permit approvals which have been delayed due to cost of construction. The original approvals were issued on July 27, 2020.

On Behalf:

John Norton, Applicant

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

T. Linnehan discussed the comments from Engineering with the Applicant stating that there will soon be a paving moratorium on Walker Street.

Motion:

T. Linnehan motioned to grant a two year extension. The motion was seconded by R. Malavich and was approved unanimously, (5-0).

Signatory Authority – Dylan Ricker

The Board shall vote to authorize Dylan Ricker as a Planning Board Administrator with Signatory Authority which will allow Mr. Ricker to sign Approval Not Required (ANR) plans on behalf of the Planning Board.

G. Frechette motioned and R. Malavich seconded the motion to grant Dylan Ricker signatory authority. The motion passed unanimously, (5-0).

V. Notices

VI. Further Comments from Planning Board Members

R. Lockhart said that the past few Historic Board meetings have been focused on minimum maintenance requirements. There are minimum maintenance requirements for all buildings not just downtown. There has been continued success repainting 123 Merrimack Street. Similar work is underway at the Hildreth Building. Work on Welles Emporium building will be underway shortly. The work should be completed by the end of July.

G. Frechette said that he had spoken at a zoning subcommittee meeting regarding ADUs. Has been something that has been brewing for a while. Nonprofits and advocacy groups have been working to move forward. Has gotten to the point where the issue is clouded. Allows for apartments rented by anybody in single family zones. DPD drafted an ordinance for the Council to discuss. Citizen engagement is important. Carriage houses would be able to be rented. This is not a one size fits all issue. Every voice needs to be heard. Invade and create apartments in single family zones. Aging in place gets grouped in with that. Opens the door across the board. Largest sweeping decision to affect the City of Lowell. Clarity is needed. T. Linnehan expressed concern that it would increase the value of the subject property and make purchasing homes prohibitively expensive. G. Frechette stated again that residents need to get involved.

VII. Adjournment

R. Lockhart motioned and G. Frechette seconded the motion to adjourn the meeting. The motion passed unanimously, (5-0). The time was 8:00PM.